

**ASSEMBLY BILL**

**No. 1611**

**Introduced by Assembly Member Levine**  
(Coauthor: Senator Soto)

February 21, 2003

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An act to add Sections 22754.3 and 22811.6 to the Government Code, relating to public employee health benefits, and making an appropriation therefor.

LEGISLATIVE COUNSEL'S DIGEST

AB 1611, as introduced, Levine. Public employee health benefits: retirees.

Under the Public Employees' Medical and Hospital Care Act, annuitants may enroll in a health benefits plan and the cost of that enrollment is paid by the annuitant and his or her former employer. Existing law defines 'annuitants' for this purpose as, among others, a person who receives a retirement allowance from a state or University of California retirement system or from a retirement system of a contracting agency, as defined. Contributions paid annuitants and employers are deposited into one of two continuously appropriated funds.

This bill would authorize a person who reinstates from retirement from one of those retirement systems to enroll in a health benefits plan, following his or her subsequent retirement, as an annuitant of the employer from which he or she first retired, except as specified. By expanding enrollment eligibility, the bill would increase contributions to continuously appropriated funds and, thereby, make an appropriation.

Vote: majority. Appropriation: yes. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. Section 22754.3 is added to the Government  
2 Code, to read:

3 22754.3. As used in this part, “annuitant” also means any  
4 person who retires from a retirement system described in  
5 subdivision (f) of Section 22754 following reinstatement from  
6 retirement as described in Section 22811.6.

7 SEC. 2. Section 22811.6 is added to the Government Code, to  
8 read:

9 22811.6. (a) A person who is enrolled as an annuitant  
10 following his or her retirement and who reinstates from retirement  
11 shall, upon his or her subsequent retirement, be eligible to enroll  
12 as an annuitant of the employer from which he or she first retired.

13 (b) This section shall apply irrespective of whether the person  
14 is enrolled as an employee during his or her reinstatement from  
15 retirement. However, this section does not apply, and the employer  
16 from which the person first retired shall have no liability under this  
17 section, if the person is eligible to enroll as an annuitant of another  
18 employer following his or her subsequent retirement.

19 (c) An annuitant who is eligible to enroll pursuant to this  
20 section may enroll within 60 days after his or her subsequent  
21 retirement or during any future open enrollment period, as  
22 provided by regulation of the board, without discrimination as to  
23 premium rates or benefits coverage. If the annuitant was enrolled  
24 as an employee during his or her reinstatement from retirement, he  
25 or she may enroll in the same plan under which he or she was  
26 covered as an employee, in a manner that will continue coverage.

